



Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chamber, 15 Forth Street, Invercargill on Wednesday, 16 December 2020 at 9.01am. (9.01am – 10.32am, 10.57am – 12.55pm (PE 11.4am – 12.45pm))

PRESENT

Mayor	Mayor Gary Tong (9.01am – 10.32am, 12.18pm – 12.55pm)
Deputy Mayor	Ebel Kremer
Councillors	Don Byars (9.01am – 10.29am, 10.57am – 11.40am, 11.42am – 12.30pm, 12.33pm – 12.55pm)
	John Douglas
	Paul Duffy
	Bruce Ford
	Darren Frazer
	George Harpur
	Julie Keast
	Christine Menzies
	Karyn Owen
	Margie Ruddenklau (9.01am – 9.23am, 9.31am – 10.32am, 10.57am – 12.55pm)
	Rob Scott

APOLOGIES

Mayor Tong (early departure)

IN ATTENDANCE

Chief Executive
Committee Advisor

Cameron McIntosh
Fiona Dunlop

1 Apologies

There was an apology for early departure from Mayor Tong.

Moved Mayor Tong, seconded Cr Ruddenklau and resolved:

That the Council accept the apology.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

1. Councillor Kremer declared a conflict of interest into item 9.1 - Milford Community Trust - Appointment of Trustees and would not take part in debate or voting on the matter.
2. Councillor Keast declared a conflict of interest on item 9.2 - Whakamana te Waituna Trust - Appointment of Trustees and would not take part in debate or voting on the matter.
3. Councillor Duffy declared a conflict of interest on item 9.2 - Whakamana te Waituna Trust - Appointment of Trustees and would not take part in voting on the matter.

4 Public Forum

Wendy and Tom Holder addressed the meeting in support of their submission to the Revenue and Financing policy review (submission 14).

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Council Minutes

Resolution

Moved Mayor Tong, seconded Cr Frazer and resolved:

That Council confirms the minutes of the meeting held on 18 November 2020 as a true and correct record of that meeting.

7.2 Risk management update - December 2020 quarter

Record No: R/20/9/58252

Intermediate Policy Analyst – Robyn Rout and Strategy and Policy Manager – Michelle Stevenson were in attendance for this item.

Mrs Rout advised that the purpose of the report was to update the Council on the highest priority strategic and corporate risks for the December 2020 quarter.

(During discussion on the report Councillor Ruddenklau left the meeting at 9.23am and returned at 9.31am.)

Resolution

Moved Cr Menzies, seconded Cr Kremer and resolved:

That the Council:

- a) **Receives the report titled “Risk management update - December 2020 quarter” dated 11 December 2020.**
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) Notes the risks with pre-treatment thresholds that are currently assessed as high or very high.

8.1 Monthly Financial Report - October 2020

Record No: R/20/12/69571

Management Accountant – Lesley Smith was in attendance for this item.

Mrs Smith advised that the purpose of the report was to update Council with an overview of the financial results for the four months to 31st October 2020 by the nine activity groups of Council, as well as the financial position, and the statement of cash flows as at the 31st October 2020.

Resolution

Moved Cr Douglas, seconded Cr Frazer and resolved:

That the Council:

- a) **Receives the report titled “Monthly Financial Report - October 2020” dated 11 December 2020.**

8.2 Management Report

Record No: R/20/11/67576

Chief Executive – Cameron McIntosh was in attendance for this item.

Resolution

Moved Mayor Tong, seconded Cr Harpur and resolved:

That the Council:

- a) **Receives the report titled “Management Report” dated 11 December 2020.**

Councillor Kremer withdrew from the table due to a conflict of interest.

9.1 Milford Community Trust - Appointment of Trustees

Record No: R/20/11/65909

Community Partnership Leader – Simon Moran was in attendance for this item.

Mr Moran advised that the purpose of the report was for Council to reappoint Cr Ebel Kremer as the interim independent chair of Milford Community Trust for a further period of 12 months.

Resolution

Moved Cr Owen, seconded Cr Frazer and resolved:

That Council:

- a) **Receives the report titled “Milford Community Trust - Appointment of Trustees” dated 11 December 2020.**
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) Agrees to reappoint Councillor Ebel Kremer as the chair of Milford Community Trust for a further period of 12 months ending 31 December 2021.

Councillor Kremer returned to the table.

Councillors Duffy and Keast withdrew from the table due to a conflict of interest.

9.2 Whakamana te Waituna Trust - Appointment of Trustees

Record No: R/20/11/69383

Governance and Democracy Manager – Melissa Brook was in attendance for this item.

Miss Brook advised that the purpose of the report was to approve the appointment of elected members to the Whakamana te Waituna Trust and on the proposed Whakamana te Waituna Project Steering Group structure.

Council noted the requirement to confirm its agreement to the re-organisation of the reporting structure for the Whakamana te Waituna Trust, with a proposal to establish a Project Steering Group including the establishment of an Executive Director role to be the link between the Trust and the various work programmes.

Resolution

Moved Cr Kremer, seconded Cr Menzies and resolved:

That the Council:

- a) **Receives the report titled “Whakamana te Waituna Trust - Appointment of Trustees” dated 11 December 2020.**
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) Agrees to confirm the appointment of Councillors Paul Duffy and Julie Keast as the two Southland District Council appointees to the Whakamana te Waituna Trust.
- e) Agrees to confirm its agreement to the proposed Project Steering Group, comprising three members and the Executive Director, with the three **members to be representatives of Te Rūnanga o Awarua, Environment Southland and Living Water (Department of Conservation and Fonterra).**

Councillors Duffy and Keast returned to the table.

7.1 Draft Revenue and Financing Policy and Rating Review - Submissions

Record No: R/20/12/70303

Finance Development Co-ordinator – Nicole Taylor was in attendance for this item.

Miss Taylor advised that the purpose of the report was to provide information to Council on the feedback that was received through submissions on the draft Revenue and Financing Policy and associated rating review and for the elected members to consider the information received in the submissions.

The Councillors noted that a late submission had been received from Federated Farmers of New Zealand Southland branch.

(Councillor Byars left the meeting at 10.29am.)

(The meeting adjourned for morning tea at 10.32am.)

(Mayor Tong left the meeting at 10.32am.)

(The meeting reconvened at 10.57am with Councillor Kremer chairing the meeting in the absence of Mayor Tong.)

(Councillor Byars left the meeting at 11.40am and returned at 11.42am.)

Councillor Kremer (as chair in the absence of Mayor Tong) advised that the item would be adjourned until later in the meeting to enable officers to consider the amendments to the policy and rating review.

See further down the minutes for the resolution on for this report.

Public Excluded

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

Resolution

Moved Cr Kremer, seconded Cr Menzies and resolved:

That the public be excluded from the following part(s) of the proceedings of this meeting.

C10.1 Waikaia mowing Contract 20/59

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Waikaia mowing Contract 20/59	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

That the Chief Executive – Cameron McIntosh, Group Manager, Environmental Services – Fran Mikulicic, Group Manager, Services and Assets – Matt Russell, Group Manager, Community and Futures – Rex Capil, Chief Financial Officer – Anne Robson, People and Capability Manager – Janet Ellis, Group Manager, Customer Delivery – Trudie Hurst, Committee Advisor – Fiona Dunlop, Governance and Democracy Manager – Melissa Brook, Communications Manager – Louise Pagan, Community Facilities Manager – Mark Day and Contracts and Projects Co-ordinator – Trudy Saunders be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items C10.1 Waikaia mowing Contract 20/59. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because of their knowledge on the issues discussed and meeting procedure.

The public were excluded at 11.47am.

(Councillor Byars left the meeting at 12.30pm.)

(Councillor Byars returned to the meeting at 12.33pm.)

The meeting returned to open at 12.45pm.

7.1 Draft Revenue and Financing Policy and Rating Review – Submissions (continued)

Record No: R/20/12/70303

Council considered the amendments proposed to the policy and rating review and resolved the following.

Resolution

Moved Cr Kremer, seconded Cr Scott recommendations a to e with changes (as indicated) and new recommendations f and g (as indicated) and resolved:

That Council:

- a) **receives the report titled “Draft Revenue and Financing Policy and Rating Review - Submissions” dated 8 December 2020**
- b) determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002
- c) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter
- d) receives the submissions on the draft Revenue and Financing Policy and Rating Review (Attachment A)
- e) receives the submissions on the draft Revenue and Financing Policy and Rating Review (Attachment B) that were received after the closing date (5pm on 4 December 2020) from:

- Stephen Hoskin (submitter number 27)
- Colac Bay Progress League (submitter number 28).
- Federated Farmers of New Zealand Southland branch

New f) considered the written and oral feedback received through the formal consultation process on the Revenue and Financing Policy.

New g) agrees to confirm the draft policy and rating review as consulted on with the following changes:

- i) amend the Fiordland Community Board rural rating area to exclude the Milford community
- ii) amend the Fiordland Community Board urban rating area to exclude properties in Patience Bay, Rocky Ridge, area around golf course and William Stephens Drive and to the east and define these properties as Fiordland Community Board semi-urban rating area
- iii) agrees to the inclusion of General Rate funding (low band) towards the Te Anau Airport Manapouri in the Revenue and Financing Policy, noting this sit at 0% until a long-term business case and development plan for the airport is considered by Council that clarifies the district benefit of the activity.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available unless released here.

The meeting concluded at 12.55pm.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A
MEETING OF THE COUNCIL HELD ON WEDNESDAY
16 DECEMBER 2020.

DATE:.....

CHAIRPERSON:.....